

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE

DATED THIS THE 31ST DAY OF MARCH 1987.

PRESENT:

Hon'ble Mr.Justice K.S.Puttaswamy,

.. Vice-Chairman.

And

Hon'ble Mr.P.Srinivasan,

.. Member(A).

APPLICATIONS NUMBERS 1905 TO 1913, 1973 TO 1985 OF 1986

13, 14, 21, 22, 23 AND 53 OF 1987.

1. Smt. B.A.Shashikala,
Wife of Srikantha Babu,
Aged about 24 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-560 001. .. Applicant in A.1905/1986.
2. B.K.Radha,
Daughter of Krishna Rao,
Aged about 26 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-560 001. .. Applicant in A.1096/1986.
3. Smt. N.Manorama,
W/o S.Venkataraju,
Aged about 26 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.1907/1986.
4. Smt. D.L.Padmaja,
D/o Lakshminarayana Rao,
Aged about 25 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.1908/1986.
5. Smt. Rukminiamma,
D/o M.Ramaiah,
Aged about 25 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.1909/1986.
6. Sri Mohammed Yacob,
S/o Abdul Rahman,
Aged about 26 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.1910/1986.

7. Sri H.Sridhar,
S/o H.Swamirayachar,
Aged about 26 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.1911/1986.

8. Smt. S.Vedavathi,
D/o R.Sankarappa,
Aged about 26 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.1912/1986.

9. Smt. Padmavathi,
Wife of R.Prakash,
Aged about 25 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.1913/1986.

10. Smt. B.P.Usha,
W/o of Y.V.Harish,
Aged about 24 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.1973/1986.

11. Sri T.K.Manjunath,
S/o late T.Krishna Shastry,
Aged about 24 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.1974/1986.

12. Sujatha N.Nazare,
D/o N.B.Nazare,
Aged about 26 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.1975/1986.

13. K.v.Prabhu,
S/o K.P.Venkatachalaiah,
Aged about 27 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.1976/1986.

14. Smt. Shanthi,
W/o Gangadharaiyah,
Aged about 24 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.1977/1986.

15. Smt. Bhagyalakshmi,
W/o B.K.Krishnamurthy,
Aged about 24 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.1978/1986.

16. Seetha,K.
D/o R.U.Krishnamurthy,
Aged about 25 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.1979/1986.

17. V.Ramamami,
D/o N.S.Venkataramaiah,
Aged about 27 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-560 001. .. Applicant in A.No.1980/1986.

18. Benedicta Monterio,
D/o F.Monteiro,
Aged about 25 years,
Central Telegraphs Ofice,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.1981/1986.

19. Shobhalakshman,
Aged about 26 years,
W/o Narasimha Raghavan.
Central Telegraphs Office,
Indian Posts and Telegraphs Department,
Bangalore-1 .. Applicant in A.No.1982/1986.

20. Girish Kadam,
S/o B.S.venkobarao,
Aged about 27 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1 .. Applicant in A.No.1983/1986.

21. Suneetha Bai,
C/o Mr. V.B.Vittal Shenoy,
Aged about 25 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.1984/1986.

22. Sathyanarayana Prasad,
Aged 26 years,
S/o late L.Shamanna,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1 .. Applicant in A.No.1985/1986.

23. Anthoni,
S/o Francis, Aged 24 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1 .. Applicant in A.No.13/1987.

24. K.Sampathkumar,
S/o N.Rangaraj,Aged 27 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.14/1987.

25. Smt. C.Vijayalakshmi,
Aged about 22 years,
D/o T.S.Chandrashekhar,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.21/1987.

26. Smt. M.Ratna,
D/o Muddaiah,Aged about 25 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1 .. Applicant in A.No.22/1987.

27. Smt. Geetha Bai,
Aged about 26 years,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.23/1987.

28. T.R.Mohan Kumar,
Aged about 25 years,
S/o IT.K.Rathnain Setty,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Applicant in A.No.53/1987.

(By Dr.M.S.Nagaraja,Advocate.)

v.

1. The Chief Superintendent,
Central Telegraph Office,
Bangalore-1.

2. The General Manager,
Telecom,Karnataka Circle,
Bangalore-9. .. Common Respondents 1 and 2
in all the Applications.

3. Smt. Sudha Badgeri,
Telegraphist,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1.

4. Smt. K.N.Jyothi,
Telegraphist,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1.

5. Smt. K.Bharathi,
Telegraphist,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1.

6. Smt. N.Savithri,
Telegraphist,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1.

7. Smt. K.Shakuntala,
Telegraphist,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1.
8. Smt.M.R.Bharathi,
Telegraphist,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1.
9. C.V.Mahadevaswamy,
Telegraphist,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1.
10. Smt.V.Geetha,
Telegraphist,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1.
11. Smt. T.V.Nagarathanabai,
Telegraphist,
Central Telegraph Office,
Indian Posts and Telegraphs Department,
Bangalore-1. .. Sl.Nos. 3 to 11 are Respondents
3 to 11 in A.Nos.1905 to 1913/1986.
12. K.H.Jagannatha,
Central Telegraph Office,
Bangalore-1. .. Respondent-3 in A No.1973 to 1985/1986.

(By Sri M.Vasudeva Rao,ACGSC)

These applications coming on for hearing this day, Vice-Chairman made the following:

O R D E R

As the questions that arise for determination in these cases are common, we propose to dispose of them by a common order.

2. On different dates, the details of which are not necessary to notice, the applicants were appointed as 'Short Duty Telegraphists or Reserved Trained Pool Telegraphists (Reservists)' on the terms and conditions set out in the respective orders of appointments issued to each of them, one of them being that his or her case will be considered for appointment as regular Telegraphists (Regular) as and when vacancies occur in the department. But, notwithstanding the same, for various reasons that are not also necessary to notice in

detail, the respondents have not so far appointed the applicants as regular Telegraphists, though all of them have rendered service as 'reservists' for more than three years. In these separate but identical applications made under Section 19 of the Administrative Tribunals Act, 1965 ('the Act'), the applicants have sought for a direction to the respondents to appoint them as telegraphists on a regular basis from the date of their respective initial appointments as reservists.

3. In their common reply, the respondents while detailing the facts leading to the appointments of the applicants, have inter alia stated that they will be absorbed against regular vacancies in due course.

4. Dr. M.S.Nagaraja, learned counsel for the applicants contends that there has been undue and unjustified delay in not making regular appointments of his clients and, therefore this Tribunal should direct the respondents to forthwith appoint them on a regular basis from the date of their respective initial appointment as reservists 'and in any event with expedition and that till such time the respondents be restrained from making further selections of outsiders to the cadre of Telegraphists.

5. Sri M.Vasudeva Rao, learned Additional Central Government Senior Standing Counsel appearing for the respondents referring to the assurance held out by his clients opposes the directions sought by the applicants.

6. In the very appointment orders issued to each of the applicants the appointing authority had stated that each of them would be appointed on a regular basis in due course on the occurrence of a vacancy which is reiterated in the reply filed before us. We will even assume that the respondents are justified in not making appointments of the applicants on a regular basis so far and the same cannot be done in the very immediate future for every one

of the reasons stated by them. But, notwithstanding all of them, the respondents cannot postpone the same for all time to come or even indefinitely and are bound to do the same with all reasonable despatch. We need hardly say that such a course besides being in the interests of the applicants is also in the interests of smooth administration. But, till that is not done, it is necessary that the respondents should not make fresh selections and appointments of outsiders to the cadre. If it is otherwise, grave injustice would be occasioned to the applicants selected as reservists and have been working for more than 3 years.

7. In the light of our above discussion, we direct the respondents to absorb the applicants on a regular basis with all such expedition as is possible in the circumstances of the cases. But, till then, the respondents are also directed not to make fresh selections and appointments of outsiders to the cadre of Telegraphists.

8. Applications are disposed of in the above terms. But, in the circumstances of the cases, we direct the parties to bear their own costs.

Mr. Phuléam
VICE-CHAIRMAN
31-3-1987

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31/3/87
MEMBER(A)

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